

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BETTER HOLDCO, INC.,

Plaintiff,

v.

No. 22-cv-09580 (AT)

SARAH PIERCE,

Defendant.

**NOTICE OF PLAINTIFF BETTER HOLDCO, INC.’S
MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that Plaintiff Better Holdco, Inc. (“Better”), pursuant to Federal Rule of Civil Procedure 56, the Local Rules for the United States District Courts for the Southern and Eastern Districts of New York, the Individual Practices of this Court and upon (1) the accompanying Local Rule 56.1 Statement of Undisputed Material Facts; (2) Memorandum of Law in Support of Plaintiff’s Motion for Summary Judgment; (3) the Affidavit of Brian Ro in Support of Plaintiff’s Motion for Summary Judgment, dated November 30, 2022 and the exhibits attached thereto; (4) the pleadings and records on file in this action, and on such other argument as may be presented at or before a hearing on this Motion, will move before the Honorable Analisa Torres, United States District Judge at the Daniel Patrick Moynihan United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007 at a date and time to be determined by the Court, for an Order: (i) granting Better’s Motion for Summary Judgment; (ii) awarding judgment against Defendant in an amount no less than \$2,277,000, representing the amount still due and owing under the Promissory Notes, plus interest, calculated at \$21,869 through November 28, 2022, which continues to accrue; (iii) awarding attorneys’ fees and other

costs incurred by Plaintiff in enforcing its rights and remedies under the Loan Documents and Promissory Notes; and (iv) granting such other and further relief as the Court deems just and proper.

Dated: November 30, 2022
New York, New York

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Roberta A. Kaplan', is written over a horizontal line.

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